

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS**

APRIL HALE, individually, LEN CLINE,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

TELADOC HEALTH, INC.,

Defendant.

Case No. 7:20-cv-05245-VB

**NOTICE OF DEFENDANT TELADOC HEALTH, INC.'S MOTION TO DISMISS  
OR, IN THE ALTERNATIVE, STAY**

**PLEASE TAKE NOTICE** that upon the accompanying memorandum of law dated August 20, 2020, the undersigned hereby moves this Court on behalf of Defendant Teladoc Health, Inc. before the Honorable Vincent L. Briccetti, in Courtroom 620 of the United States District Court for the Southern District of New York, Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas Street, White Plains, New York 10601, for an order dismissing the Complaint with prejudice pursuant to Fed. R. Civ. P. 12(b)(6), or in the alternative, staying the proceedings here pending resolution of potentially dispositive proceedings before the U.S. Supreme Court.

Dated: August 20, 2020

Respectfully submitted,

/s/ Andrew D. Prins

Matthew A. Brill (*pro hac vice*)

Andrew D. Prins (*pro hac vice*)

Nicholas L. Schlossman (*pro hac vice*)

LATHAM & WATKINS LLP

555 Eleventh Street, NW, Suite 1000

Washington, D.C. 20004-1304

Telephone: (202) 637-3317

Email: matthew.brill@lw.com

andrew.prins@lw.com

nicholas.schlossman@lw.com

*Attorneys for Defendant Teladoc  
Health, Inc.*